



Eric Gonzalez
District Attorney

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: BRIAN CLEMENTS

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

1. EDWIN MARRERO V. CITY OF NEW YORK, ET AL, 11-CV-5339, FILED IN THE SOUTHERN DISTRICT OF NEW YORK
2. BANKS STANLEY V. CITY OF NEW YORK, ET AL, 305979-2011, FILED IN BRONX COUNTY SUPREME COURT.
3. SHAWN KING V. CITY OF NEW YORK, ET AL, 12-CV-2627, FILED IN THE SOUTHERN DISTRICT OF NEW YORK
4. EDWARD HART V. CITY OF NEW YORK, ET AL, 12-CV-2628, FILED IN THE SOUTHERN DISTRICT OF NEW YORK
5. CARTER V. CITY OF NEW YORK, ET AL, 311478-2011, FILED IN BRONX COUNTY SUPREME COURT.
6. STEVEN GONZALEZ V. CITY OF NEW YORK, ET AL, 303906/2015, FILED IN BRONX COUNTY SUPREME COURT
7. CURTIS STURDIVANT V. CITY OF NEW YORK, ET AL, 301020/2015, FILED IN BRONX COUNTY SUPREME COURT

Disclosure # 2:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED, DATED 08/23/2007, AGAINST MOS CLEMENTS.

CASE STATUS: CLOSED ON 04/02/2008

Disclosure # 3:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED, DATED 05/08/2009, AGAINST MOS CLEMENTS.

CASE STATUS: CLOSED ON 10/21/2010

Disclosure # 4:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED, DATED 10/11/2010, AGAINST MOS CLEMENTS.

CASE STATUS: CLOSED ON 03/17/2011

Disclosure # 5:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 11/22/2010, AGAINST MOS CLEMENTS: ALLEGATION(S):

1. DEPARTMENT RULES AND VIOLATIONS -OTHER DEPARTMENTAL RULES

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE

CASE STATUS: CLOSED ON 02/25/2011

Disclosure # 6:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 04/06/2011, AGAINST MOS CLEMENTS: ALLEGATION(S):

1. MISSING PROPERTY – OTHER

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE

CASE STATUS: CLOSED ON 06/04/2011

Disclosure # 7:

MOS CLEMENTS PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS, DATED 08/09/2011:

ALLEGATION(S):

1. MOS CLEMENTS, WHILE ON DUTY, AND ASSIGNED AS THE ANTI-CRIME SUPERVISOR IN THE CONFINES OF THE 48TH PRECINCT ON OR ABOUT JANUARY 5, 2011, AT APPROXIMATELY 04:00 HOURS INSIDE OF THE 48TH PRECINCT IN BRONX COUNTY DID FAIL TO DO HIS DUTY AS A NEW YORK CITY POLICE SERGEANT IN THAT HE FAILED TO PERSONALLY DESIGNATE A POLICE OFFICER TO TAKE A "TURNOVER" ARREST ON BEHALF OF ONE OF HIS SUBORDINATES.
2. MOS CLEMENTS, WHILE ON DUTY, AND ASSIGNED AS THE ANTI-CRIME SUPERVISOR IN THE CONFINES OF THE 48TH PRECINCT DATE AND LOCATION KNOWN TO THE DEPARTMENT, DID FAIL TO DO HIS DUTY AS A NEW YORK CITY POLICE SERGEANT IN THAT HE FAILED TO COMPLETELY INFORM ANOTHER MOS OF THE ARREST CIRCUMSTANCES AND THE PROPER ARREST CHARGES FOR THE TURNOVER ARREST OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT.
3. MOS CLEMENTS, WHILE ON DUTY, AND ASSIGNED AS THE ANTI-CRIME SUPERVISOR IN THE CONFINES OF THE 48TH PRECINCT, DATE AND LOCATION KNOWN TO THE DEPARTMENT, DID FAIL TO DO HIS DUTY AS A NEW YORK CITY POLICE SERGEANT IN THAT HE FAILED TO MAKE SUFFICIENT ENTRIES IN THE COMMAND LOG REGARDING A TURNOVER ARREST AND THE PEDIGREE INFORMATION OF A PRISONER.
4. MOS CLEMENTS, WHILE ON DUTY, AND ASSIGNED AS THE ANTI-CRIME SUPERVISOR IN THE CONFINES OF THE 48TH PRECINCT, DATE AND LOCATION KNOWN TO THE DEPARTMENT, DID FAIL TO DO HIS DUTY AS A NEW YORK CITY POLICE SERGEANT IN THAT HE FAILED TO MAKE SUFFICIENT ENTRIES IN BOTH HIS OWN, AND ANOTHER MOS' ACTIVITY LOG RELATING TO THE ARREST OF A PERSON KNOWN TO THE DEPARTMENT AND THE TURNOVER OF THAT ARREST.
5. MOS CLEMENTS, WHILE ON DUTY, AND ASSIGNED AS THE ANTI-CRIME SUPERVISOR IN THE CONFINES OF THE 48TH PRECINCT, DATE AND LOCATION KNOWN TO THE DEPARTMENT, DID FAIL TO DO HIS DUTY AS A NEW YORK CITY POLICE SERGEANT IN THAT HE FAILED TO ENSURE THAT THE VEHICLE OF A PERSON KNOWN TO THE DEPARTMENT WAS VOUCHERED AND/OR SAFEGUARDED IN ACCORDANCE WITH THE PATROL GUIDE.
6. MOS CLEMENTS, WHILE ON DUTY, AND ASSIGNED AS THE ANTI-CRIME SUPERVISOR IN THE CONFINES OF THE 48TH PRECINCT, ON OR ABOUT JANUARY 5, 2011, AT APPROXIMATELY 03:30 HOURS AT A LOCATION KNOWN TO THE DEPARTMENT FAILED TO PROPERLY SUPERVISE OTHER MOS, IN THAT HE IMPROPERLY AUTHORIZED THEM TO ARREST A PERSON KNOWN TO THE DEPARTMENT AND CHARGE HIM WITH PATRONIZING A PROSTITUTE.

ACTION TAKEN: FORFEITURE OF TEN (10) VACATION DAYS

CASE STATUS: CLOSED ON 08/28/2012

Disclosure # 8:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 01/01/2012, AGAINST MOS CLEMENTS:
ALLEGATION(S):

1. MEMOBOOK INCOMPLETE

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE

CASE STATUS: CLOSED ON 10/16/2012

Disclosure # 9:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 01/04/2018, AGAINST MOS CLEMENTS:
ALLEGATION(S):

1. REPORT INCOMPLETE/INACCURATE - PROPERTY CLERK INVOICE

ACTION TAKEN: VERBAL INSTRUCTIONS

CASE STATUS: CLOSED ON 01/19/2018

Disclosure # 10:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 01/15/2020, AGAINST MOS CLEMENTS:
ALLEGATION(S):

1. PD ITEMS POSSESS/USE/DISPLAY/SELL - RESTRICTED USE PARKING PLAQUE - UNAUTHORIZED USE
2. MOS PARKING CONDITION - IN VICINITY OF DEPARTMENT FACILITY - PERSONAL VEHICLE

ACTION TAKEN: VERBAL INSTRUCTIONS

CASE STATUS: CLOSED ON 04/01/2020

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 11:

CCRB CASE: 200410809

REPORT DATE: 10/31/2004

INCIDENT DATE: 10/31/2004

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - SEARCH (OF PERSON)

NYPD DISPOSITION/PENALTY: INSTRUCTION(S)

Disclosure # 12:

CCRB CASE: 200900026

REPORT DATE: 01/04/2009

[REDACTED]

Disclosure # 13:

CCRB CASE: 200904921

REPORT DATE: 03/31/2009

[REDACTED]

Disclosure # 14:

CCRB CASE: 200912160

REPORT DATE: 08/07/2009

[REDACTED]

[REDACTED]

[REDACTED]

Disclosure # 15:

CCRB CASE: 200912884

REPORT DATE: 08/19/2009

[REDACTED]

[REDACTED]

[REDACTED]

Disclosure # 16:

CCRB CASE: 201001485

REPORT DATE: 02/01/2010

INCIDENT DATE: 01/27/2010

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - FRISK

2. ABUSE - STOP

NYPD DISPOSITION/PENALTY: INSTRUCTION(S)

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - FAILURE TO PREPARE A MEMOBOOK ENTRY

NYPD DISPOSITION: COMMAND DISCIPLINE - B ISSUED; PENALTY: INSTRUCTIONS

Eric Gonzalez
District Attorney
Kings County